



Report to
Governor C.L. "Butch" Otter and
the 1st Regular Session of the
61st Idaho Legislature

Idaho Judiciary

Idaho Supreme Court

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Domestic Violence Courts

Idaho Leads the Way in Judicial Management of Domestic Violence Court Cases

The National Council of Juvenile and Family Court Judges, Family Violence Department, and the Center for Court Innovation found that Idaho was the first state in the nation to adopt legislation authorizing the establishment of domestic violence courts statewide. Not only is Idaho's provision regarding statewide domestic violence courts legislatively distinctive, the creation and legislative support of a Domestic Violence Court Coordinator is innovative and is currently the only such legislation in the country.

FY2010 Highlights for Idaho Domestic Violence Courts

- The Ada County Domestic Violence Court drew national attention for its work, progress, and innovation. A team from the court was highlighted at a nationally recognized conference attended by judges and professionals from around the country, as well as such places as England, Israel, and New Zealand.
- Idaho Domestic Violence Court Policies and Guidelines were developed to articulate research-based best practices and identify essential elements for domestic violence courts.
- A mission statement, goals, and objectives for Idaho's domestic violence courts were established. These goals focus on improving the civil and criminal justice systems' response to domestic violence by enhancing victim safety, offender accountability, providing effective case management, and coordination of information when families are involved in multiple cases.
- A Domestic Violence Court was implemented in the City of Nampa, Canyon County.
- The 7th Judicial District was awarded a grant to develop and implement a high-intensity Domestic Violence Court in Bonneville County. One core element of this problem-solving court is to provide a unified approach for the treatment of high-risk domestic violence offenders with mental health and substance abuse issues.

Idaho's Integrated Domestic Violence Courts are Changing the Culture of Victim Safety and Offender Accountability

Domestic violence courts assign families with a criminal domestic violence case and a divorce, custody, or child protection case to a single judge. This practice ensures accurate information for judicial decisions, compatible and consistent court orders,

"She (the DV Court Coordinator) offered me some good advice. I felt like I was being heard. She was a good sounding-board. She suggested reading materials. She really understands the situation."

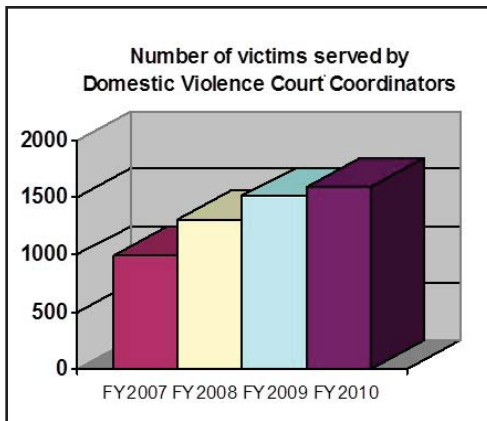
-- Domestic Violence Victim

and improved outcomes for families. A fast-track criminal case disposition is combined with ongoing judicial reviews. This process enhances victim and child safety while holding offenders accountable. The Domestic Violence Court Coordinator is fundamental to the effective operation of domestic violence courts. Over the last year, domestic violence court coordinators identified gaps and barriers in services for victims, created services and treatment options for victims and offenders in

Idaho Domestic Violence Courts Essential Elements

- Case Assignment
- Expedited Hearings
- Case Coordination
- Supervision of Offender Progress
- Evaluation and Assessment of Offenders
- Treatment and Treatment Providers
- Collaboration with Key Stakeholders
- Courthouse Safety
- Evaluation and Monitoring of Domestic Violence Courts





rural areas, and facilitated the development of a coordinated community response to improve the handling of domestic violence cases within the justice system. Domestic Violence Court Coordinators assisted over 1,500 victims in the civil and criminal justice systems, which represents an 11% increase from 2008 and a 34% increase since the inception of Domestic Violence Courts in 2006. Idaho's domestic violence courts monitored over 1,000 offenders through 3,038 judicial review hearings in FY2010. Research indicates that judicial monitoring, when combined with treatment, may be the

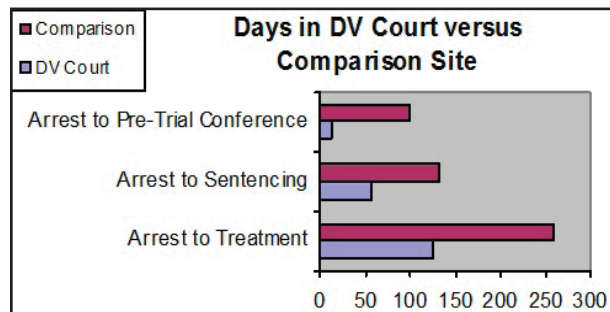
most effective technique for reducing recidivism. The review process enables the Court to increase victim safety by providing immediate consequences for offender violations.

Ada County Domestic Violence Court Undergoes Comprehensive Evaluation

The evaluation conducted on the Ada County Domestic Violence Court found that the Court is effective in decreasing the number of cases dismissed and increasing the number of cases disposed by a guilty plea, resulting in increased offender accountability and offenders receiving treatment. The study also found that cases in domestic violence court from arrest to disposition were accelerated. Accelerated disposition of cases expedites the offender's entrance into treatment, provides victims with early access to advocacy and services, and increases the court's ability to monitor the offender and provide safety for the victim. Research has shown that failure to process cases at greater speed is associated with increased recidivism. In addition, the study reported that court professionals and community treatment providers expressed a high degree of satisfaction with the Ada County Domestic Violence Court's effectiveness.

Summary of statistically significant findings:

- Timeframes from arrest to pre-trial conference, to sentencing, and to enrollment in a domestic violence intervention program were significantly less for defendants in the domestic violence court than for those at the comparison site.
- 81% of defendants in domestic violence court were ordered to supervised probation and had an average of 9.6 judicial contacts whereas 30% of defendants in the comparison site were ordered to supervised probation and had an average of 2.9 contacts. Research indicates that in order to hold offenders accountable for their actions and enhance victim safety, offenders must be closely monitored to ensure that they are in compliance with all court conditions.
- 8.5% of domestic violence cases were dismissed in domestic violence court versus 17.4% in the comparison site.
- 86.5% of the domestic violence court defendants pled guilty compared to 72% in the comparison site.



"Now that I'm into this program quite a ways, I can actually wake up and remember yesterday ..."

-- Domestic Violence Court Offender

"My marriage relationship wasn't really real before this program. But it is real now and I value it in a way such that I never want to do harm to it again ..."

-- Domestic Violence Court Offender

"This DV program requirement ought to be required of all couples before they ever marry or decide to live together ..."

-- Domestic Violence Court Offender

"I have been doing probation for so long and I truly see the success stories coming out of this Court. It's hard to be a PO, especially with domestic violence cases. It wears you down...but to actually see the outcome of this Court and how well they [offenders] do and hearing from the victims about the changes in the quality of their lives, make this job worthwhile."

-- Probation

"...[DV Court] is the best thing I have ever done – it is why you went to law school, it is why you went into public service, it is why you went into criminal law, because you wanted to make a difference. It is not just holding someone accountable, making someone safer – it is doing all those things at the same time."

-- Domestic Violence Court Judge